

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**ALVERENE BUTLER,**

**Plaintiff,**

**v.**

**ALABAMA DEPARTMENT OF  
TRANSPORTATION, *et al.*,**

**Defendants.**

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**CASE NO. 2:06-cv-00278-MEF-CSC**

**DEFENDANTS' ADDITIONAL EVIDENTIARY SUBMISSION IN SUPPORT  
OF SUMMARY JUDGMENT**

Defendants Alabama Department of Transportation, Joe McInnes, Mark T. Waits, and Patrick T. Jackson hereby file with this Court Additional Evidentiary Materials in Support of their Motion for Summary Judgment (Doc. No. 25). Defendants file contemporaneously herewith their Reply to Plaintiff's Response to Defendants' Motion for Summary Judgment (Doc. No. 29).

**EXHIBIT:**

**EE.** Affidavit of Steve Dukes

**FF.** Affidavit of Mark T. Waits

RESPECTFULLY SUBMITTED  
TROY KING  
ATTORNEY GENERAL

s/ Harry A. Lyles  
Jim R. Ippolito, Jr. (IPP001)  
Assistant Attorney General  
Chief Counsel

Harry A. Lyles (LYL001)  
Assistant Attorney General  
Assistant Counsel

**ADDRESS OF COUNSEL:**

State of Alabama Department of Transportation

1409 Coliseum Boulevard

Montgomery, Alabama 36110

Telephone: (334) 242-6350

Facsimile: (334) 264-4359

[lylesh@dot.state.al.us](mailto:lylesh@dot.state.al.us)

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
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|                                       |   |                                       |
|---------------------------------------|---|---------------------------------------|
| <b>ALVERENE BUTLER,</b>               | ) |                                       |
|                                       | ) |                                       |
| <b>Plaintiff,</b>                     | ) |                                       |
| <b>v.</b>                             | ) |                                       |
|                                       | ) | <b>CASE NO. 2:06-cv-00278-MEF-CSC</b> |
| <b>ALABAMA DEPARTMENT OF</b>          | ) |                                       |
| <b>TRANSPORTATION, <i>et al.</i>,</b> | ) |                                       |
|                                       | ) |                                       |
| <b>Defendants.</b>                    | ) |                                       |

**CERTIFICATE OF SERVICE**

I hereby certify that, on **March 6, 2007**, I electronically filed the foregoing with the Clerk of the Court using the CM/ECT system, which will send notification to the following:

Mr. Jay Lewis, Esq.  
Law Offices of Jay Lewis, L.L.C.  
P.O. Box 5059  
Montgomery, Alabama 36103-5059  
ATTORNEY FOR PLAINTIFF

s/ Harry A. Lyles  
Harry A. Lyles (LYL001)  
Assistant Attorney General  
Assistant Counsel

**ADDRESS OF COUNSEL:**

State of Alabama Department of Transportation  
1409 Coliseum Boulevard  
Montgomery, Alabama 36110  
(334) 242-6350 (office)  
(334) 264-4359 (facsimile)  
[lylesh@dot.state.al.us](mailto:lylesh@dot.state.al.us)